



Entered on Docket
June 18, 2007

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

LEWIS AND ROCA LLP

3993 Howard Hughes Parkway, Suite 600
Las Vegas, NV 89169-5996
Facsimile (702) 949-8321
Telephone (702) 949-8320

Susan M. Freeman AZ State Bar No. 004199
Email: sfreeman@lrlaw.com
Rob Charles NV State Bar No. 006593
Email: rcharles@lrlaw.com

Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In Re:

**USA Commercial Mortgage Company
06-10725 – Lead Case**

**USA Capital Realty Advisors, LLC
06-10726**

**USA Capital Diversified Trust Deed Fund,
LLC
06-10727**

**USA Capital First Trust Deed Fund, LLC
06-10728**

**USA Securities, LLC
06-10729**

Debtors.

Jointly Administered

Chapter 11 Cases

Judge Linda B. Riegle Presiding

Date: April 26, 2007

Time: 9:30 a.m

Affecting:

☐ All Cases

or Only:

☒ USA Commercial Mortgage Company

☐ USA Capital Realty Advisors, LLC

☐ USA Capital Diversified Trust Deed Fund,
LLC

☐ USA Capital First Trust Deed Fund, LLC

☐ USA Securities, LLC

**AMENDED ORDER SUSTAINING FIRST OMNIBUS OBJECTION OF THE
USACM LIQUIDATING TRUST TO CLAIMS ASSERTING SECURED STATUS
(Amended to Include Final Page of Exhibit Inadvertently Omitted)**

1 The USACM Liquidating Trust (the "USACM Trust") filed its First Omnibus
2 Objection to Claims Asserting Secured Status [DE 3133] (the "Objection") on March 20,
3 2007. Appropriate notice of the Objection having been given; no responses having been
4 filed with this Court; the Objection having come before the Court for hearing on April 26,
5 2007 at 9:30 a.m.; and good cause appearing, it is

6 ORDERED:

- 7 • Sustaining the USACM Trust's First Omnibus Objection to Claims
8 Asserting Secured Status;
- 9 • Reclassifying the Proofs of Claim listed on Exhibit A attached; as general
10 unsecured claims; and
- 11 • Reserving the right of any party in interest, including the USACM Trust, to
12 further object to any and all claims listed on Exhibit A attached as unsecured claims or
13 otherwise, whether or not the subject of this Objection.

14 ###

15
16 PREPARED AND SUBMITTED:

17 **LEWIS AND ROCA LLP**

18
19 By: /s/ RC (#0006593)
20 Susan M. Freeman
21 Rob Charles
22 *Attorneys for USACM Liquidating Trust*
23
24
25
26

CERTIFICATION OF COUNSEL PURSUANT TO LOCAL RULE 9021

In accordance with Local Rule 9021, the undersigned certifies:

- ☐ The Court waived the requirements of LR 9021.
- ☐ I have delivered a copy of this proposed order to all attorneys and unrepresented parties who have appeared at the hearing regarding this matter and/or who filed a written objection and each has:
 - ☐ approved the form of this order;
 - ☐ waived the right to review the order;
 - ☐ failed to file and serve papers in accordance with LR 9012(c); and/or
 - ☐ failed to sign and return this proposed order within five (5) business days in accordance with LR 9021(b)
- ☐ I have delivered a copy of this proposed order to all attorneys and unrepresented parties who appeared at the hearing regarding this matter and/or who filed a written objection and all have either approved the form of this order, waived the right to review the order, failed to file and serve papers in accordance with LR 9021(c) and the following have disapproved the form of the order:
- ☒ No opposition was filed and no other party or counsel appeared at the hearing.

LEWIS AND ROCA LLP

By: /s/ RC (#0006593)
Susan M. Freeman
Rob Charles
Attorneys for USACM Liquidating Trust

1st Objection to Claims Asserting Secured Status - Reclassify as General Unsecured Claims

	<u>Claimant</u>	<u>Proof of Claim Number</u>	<u>Date Filed</u>	<u>Proof of Claim Amount</u>	<u>Proof of Claim Classification</u>
1	1989 Duesing Family Trust Dated 1/31/89 Steven & Deborah Duesing Ttees 1701 Golden Oak Dr Las Vegas, NV 89117-1453	10725-01460	11/16/2006	\$175,719.00	S, U
2	1996 Knobel Trust Dtd 9/5/96 C/O Anna S Knobel Trustee 8919 Challis Hill Ln Charlotte, NC 28226-2687	10725-01682	12/11/2006	\$348,006.20	S
3	1st Savings Bank Custodian For Marguerite F Harrison IRA 930 Dorsey Dr Incline Village, NV 89451	10725-02004	1/10/2007	\$50,166.00	S, U
4	42145 Trust C/O Richard C Macdonald Trustee 1730 W Horizon Ridge Pkwy Henderson, NV 89012-1001	10725-01079	11/7/2006	\$250,000.00	S
5	92173 Family Trust C/O Richard C & Clair Macdonald 1730 W Horizon Ridge Pkwy Henderson, NV 89012-1001	10725-01080	11/7/2006	\$250,000.00	S
6	A-1 Security 917 South First Las Vegas, NV 89101	10725-00096	7/25/2006	\$3,997.77	S
7	Acres Corporation Psp A Rehberger Trustee PO Box 3651 Incline Village, NV 89450	10725-01765	12/13/2006	\$78,000.00	S
8	Acres Corporation Psp Annemarie Rehberger Trustee PO Box 3651 Incline Village, NV 89450	10725-01764	12/13/2006	\$50,000.00	S
9	Acres Corporation Psp Annemarie Rehberger Trustee PO Box 3651 Incline Village, NV 89450	10725-01768	12/13/2006	\$50,000.00	S
10	Acres Corporation Psp Annemarie Rehberger PO Box 3651 Incline Village, NV 89450	10725-01766	12/13/2006	\$50,000.00	S

11	Acres Corporation Psp Annemarie Rehberger PO Box 3651 Incline Village, NV 89450	10725-01767	12/13/2006	\$50,000.00	S
12	Acres Profit Sharing Plan C/O Annemarie Rehberger Ttee Po Box 3651 Incline Village, NV 89450-3651	10725-00360	10/2/2006	\$22,113.00	S
13	Acs Nevada Inc 7990 Castle Pines Ave Las Vegas, NV 89113-1207	10725-01373	11/13/2006	\$15,000.00	S
14	Acs Properties Peter Merrifield 4417 48Th Ave S St Petersburg, FL 33701	10725-00209	8/28/2006	\$406,019.44	S
15	Action Sports Alliance Usa Inc 311 W Third St Ste C Carson City, NV 89703-4215	10725-00420	10/3/2006	\$150,000.00	S
16	Action Sports Alliance Usa Inc 311 W Third St Ste C Carson City, NV 89703-4215	10725-00424	10/3/2006	\$150,000.00	S
17	Adams, Brian M 525 So 6Th St Las Vegas, Nv 89101	10725-01202	11/8/2006	\$325,000.00	S P, U -unknown
18	Adams, Herman & Brian M & Anthony G 1341 Cashman Dr Las Vegas, Nv 89102	10725-01274	11/8/2006	\$2,088,250.00	S P U -- unknown
19	Adams, Herman M Brian M & Anthony G 1341 Cashman Dr Las Vegas, NV 89102-2001	10725-01220	11/8/2006	\$4,543.39	S U- Unknown
20	Adams, Herman M Brian M Anthony G 1341 Cashman Dr Las Vegas, Nv 89102	10725-01226	11/8/2006	\$3,625,000.00	S U, P - unknown
21	Adams, Karen 15026 Starbuck St Whittier, CA 90603	10725-01076	11/7/2006	\$53,900.08	S, P

22	Adams, Karen 15026 Starbuck St Whittier, CA 90603-2251	10725-01075	11/7/2006	\$53,900.08	S, P
23	Adams, Michael 1730 Winter Moon Ct Reno, NV 89523	10725-00879	10/31/2006	\$50,000.00	S
24	Adams, Michael 1730 Winter Moon Ct Reno, NV 89523	10725-00881	10/31/2006	\$100,675.82	S, U
25	Addes Ira, Kenneth 100 W Broadway Apt 7V Long Beach, Ny 11561	10725-01623	12/8/2006	\$380,878.66	S, U
26	Addes Ira, Kenneth 100 W Broadway Apt 7V Long Beach, Ny 11561-4019	10725-01620	12/8/2006	\$113,416.64	S, P, U
27	Addes Trust Kenneth & Victoria Addes Ttees 100 W Broadway Apt 7V Long Beach, NY 11561	10725-01621	12/8/2006	\$86,511.56	S, P, U
28	Addes Trust Kenneth & Victoria Addes Ttees 100 W Broadway Apt 7V Long Beach, NY 11561	10725-01622	12/8/2006	\$54,774.53	S, P, U
29	Addes Trust Kenneth & Victoria Addes Ttees 100 W Broadway Apt 7V Long Beach, Ny 11561-4019	10725-01621	12/8/2006	\$86,511.56	S, P, U
30	Addes Trust Kenneth & Victoria Addes Ttees 100 W Broadway Apt 7V Long Beach, Ny 11561-4019	10725-01622	12/8/2006	\$54,774.53	S, P, U
31	Addes, Kenneth 100 W Broadway Apt 7V Long Beach, NY 11561	10725-01619	12/8/2006	\$394,523.01	S, U
32	Addes, Kenneth 100 W Broadway Apt 7V Long Beach, Ny 11561	10725-01619	12/8/2006	\$394,523.01	S, U

33	Addy, Ronald M & Priscilla K Po Box 9550 Bend, OR 97708	10725-02234	1/12/2007	\$50,000.00	S U - Unknown
34	Addy, Ronald M & Priscilla K Po Box 9550 Bend, OR 97708	10725-02235	1/12/2007	\$50,000.00	S
35	Aig Limited A Nevada Limited Partnership 9904 Villa Granito Ln Granite Bay, CA 95746-6481	10725-01903	1/9/2007	\$406,648.76	S, U
36	Alan G & Patty J Dondero 1992 Revocable Trust Alan & Patty Dondero Ttees 10120 W Flamingo Rd Ste 4-252 Las Vegas, NV 89147-8394	10725-01471	11/27/2006	\$130,800.00	S
37	Albright Persing & Assoc Profit Sharing Deane Albright & Casey Persing Ttees 1025 Ridgeview Dr #300 Reno, NV 89519	10725-01149	11/9/2006	\$100,000.00	S
38	Alderson IRA, Harvey 4941 Harris Ave Las Vegas, NV 89110-2448	10725-01110	11/8/2006	\$30,000.00	S
39	Alderson, Harvey 4941 Harris Ave Las Vegas, NV 89110-2448	10725-01109	11/8/2006	\$29,522.36	S
40	Aldrich IRA, Georgette 2117 Las Flores St Las Vegas, NV 89102-3813	10725-01490	11/27/2006	\$54,441.06	S, U
41	Alice Humphry & Valerie Jaeger 3825 Champagne Wood Dr North Las Vegas, NV 89031-2056	10725-00587	10/13/2006	\$84,726.00	S
42	Allergy Consultants Medical Group Inc C/O Dionisio Fernandes Trustee 401 K Profit Sharing Plan 4001 Oak Manor Ct Hayward, CA 94542-1445	10725-00527	10/10/2006	\$58,071.84	S
43	Allison, Karen R 2656 Sea Shore Dr Las Vegas, NV 89128	10725-02171	1/12/2007	\$91,393.00	S, U
44	Alta Bates Summit Foundation Ttee Paul G Chelew Charitable Remainder Berkeley, CA 94705	10725-01217	11/10/2006	\$50,000.00	S

45	Alta Bates Summit Foundation Ttee Paul G Chelew Charitable 2855 Telegraph Ave Ste 601 Berkeley, CA 94705-1161	10725-01224	11/10/2006	\$130,000.00	S
46	Alves Family Trust Dtd 10/27/89 Arnold R & Agnes J Alves Ttees 9904 Villa Granito Ln Granite Bay, CA 95746-6481	10725-01904	1/9/2007	\$151,808.31	S, U
47	Alvina Agatha Sedlak Living Trust Alvina Agatha Sedlak Trustee 7840 E Camelback Rd Unit 203 Scottsdale, AZ 85251-2250	10725-01303	11/13/2006	\$54,166.72	S
48	Amberway Equities Llc 14400 Morning Mountain Way Alpharetta, GA 30004-4521	10725-00594	10/16/2006	\$100,000.00	S